

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, March 23, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Norby, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

James McConnell, Washington, D.C. Legislative Advocate provided a legislative update

Chairman Wilson presented a resolution designating United Way of Orange County as the Agency to conduct the 2004 charitable campaign for Orange County employees, 9/22/04 - 10/29/04; and appointed Health Care Director, Juliette Poulson as Chair and Integrated Waste Management Department Director, Jan V. Goss as Co-Chair to this year's campaign

Chairman Wilson presented a resolution commending Sharon-Saunders McManis on her retirement

American Heart Association, Orange County, presented the Board with an Automated External Defibrillator (AED) machine

II. CONSENT CALENDAR (Items 1-23)

21345 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 20 & 23 WHICH WERE DELETED; ITEMS 8, 10, 17 & 21 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

S U M M A R Y A C T I O N M I N U T E S

BOARD APPOINTMENTS

Supervisor Smith:

1. Senior Citizens Advisory Council - Reappoint Shirley A. Cohen, Santa Ana, for term ending 12/31/05
2. Veterans Advisory Council - Reappoint Terrill Mc Carty, Fountain Valley, for term ending 3/27/06

COMMENDATIONS/PROCLAMATIONS

Chairman Wilson:

3. Adopt resolution endorsing "CITIES THAT READ" campaign in its commitment to mobilize literacy volunteers and increase awareness of literacy needs
RESO: 04-063
4. Adopt resolutions recognizing 10 recipients for Medal of Valor
RESO: 04-064 - 04-073

Supervisor Campbell:

5. Adopt resolution commending Sergeant Charles Chapman on his retirement
RESO: 04-074
6. Adopt resolution commending Dick Kataoka on his retirement
RESO: 04-075

CHILD SUPPORT SERVICES

7. Approve price agreement N1000005704 with Document Control Solutions, Inc., a division of Smead Manufacturing Company, to implement file tracking system, 3/23/04 - 3/22/05 (\$282,883.74); renewable for three additional years (\$21,825 per year) - All Districts

HEALTH CARE AGENCY

8. Approve designation of Mark A. Refowitz, MSW as Local Mental Health Director - All Districts
31245 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

9. Approve plans and specifications and set bid for 5/5/04, 2:00 p.m., for construction of Gothard Street Former Refuse Disposal Station Improvement Project, Huntington Beach; find that the project is covered by Negative Declaration No. 313; and make California Environmental Quality Act findings - District 2

S U M M A R Y A C T I O N M I N U T E S

JOHN WAYNE AIRPORT

10. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 3/30/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 3/9/04, Item 46)

23145 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

11. Adopt resolution certifying completion of street improvements and street lights; authorizing release of security; and accepting public street improvements, street lights, sewer and water systems and monumentation, Tract 15626, Taylor Woodrow Homes, Inc., Ladera Ranch area - District 5
RESO: 04-076
12. Approve amended agreements with Wayne C. Siu Architects and Peyo and Associates, Inc. for on-call architect-engineer services (\$50,000; new total \$150,000 each) - All Districts
13. Approve plans and specifications and set bid opening for 4/28/04, 2:00 p.m., for soil and groundwater remediation, Central Utility Facility, Santa Ana; and make California Environmental Quality Act findings - District 1
14. Reject all bids received on 10/15/03; approve plans and specifications and set bid opening for 4/21/04, 2:00 p.m., for reconstruction of curb and gutter, Tustin area; and make California Environmental Quality Act findings - District 3
15. Approve agreement with First National Insurance Company of America for elevator and ADA compliance modifications, Building A, County Operations Center; and authorize Director or designee to execute related documents - District 1

Acting as the Orange County Flood Control District:

16. Approve and accept easement deed from NCC-Caliber V LLC for ingress/egress purposes, Segunda Deshecha Channel, San Clemente; and make California Environmental Quality Act and other findings - District 5
17. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) regarding sediment removal from San Diego Creek; set review to determine continuing need for emergency action on 3/30/04, 9:30 a.m., and every 14 days thereafter - Districts 1, 2 and 3 (4/5 vote) (Continued from 12/16/03, Item 64; 1/6/04, Item 5; 1/13/04, Item 25; 1/27/04, Item 31; 2/10/04, Item 11; 2/24/04, Item 27; 3/9/04, Item 31)

21345 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

18. Approve purchase order Y0022601-04 with Oracle Corporation for renewal of software licenses, product support and software updates for CLS#3373725 and CLC# 34224846, 3/27/04 - 3/30/05 (\$89,749.49) - All Districts

S U M M A R Y A C T I O N M I N U T E S

GENERAL ADMINISTRATION

Clerk of the Board:

19. Approve proposed exhibits to the Conflict of Interest Codes for Housing and Community Services Department and Social Services Agency - All Districts
20. Authorize the Clerk of the Board to request certification by the US Department of State to become a Passport Acceptance Facility - All Districts
- 21345 **DELETED**
21. **County Counsel** - Approve amended agreement with Stradling Yocca Carlson & Rauth for professional legal services - All Districts
- 42135 **APPROVED AS AMENDED TO REDUCE AMENDED AGREEMENT AMOUNT TO \$25,000.**

County Executive Office:

22. Receive and file External Restructuring Program Report for the County of Orange
23. Approve price agreement with Russ Patton for Human Resources consultant services, 3/23/04 - 7/23/04 (\$64,000) - All Districts
- 21345 **DELETED**

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 24-33)

HOUSING AND COMMUNITY SERVICES DEPARTMENT

24. Approve amended agreement with St. Jude Medical Center for implementation and operation of North Orange County Senior Connections Senior-Non Emergency Transportation Program, 3/23/04 - 6/30/04 (\$180,000; new total \$597,754) - Districts 2, 3 & 4
42135 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

25. Approve operating agreement with Mesa Airlines, Inc. for operation as a commercial air carrier; find Final EIR 582 is adequate to satisfy requirements of California Environmental Quality Act; and make related findings - District 2
25134 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

26. Adopt resolution approving grant agreement 03-201-003 with California Department of Boating and Waterways for youth boating programs, Dana Point Youth and Group Facility Project (\$10,000); authorize Director or designee to execute amendments under certain conditions; and make California Environmental Quality Act findings and certifications - District 5
52134 **APPROVED AS RECOMMENDED**
RESO: 04-077
27. Second reading and adoption of "An Ordinance of the County of Orange, California, Amending Various Sections of the Subdivision Code for the Purpose of (1) Reflecting the New County Organizational Structure, (2) Streamlining the Subdivision Process, and (3) Improving Consistency with State Law" - All Districts (Continued from 3/16/04, Item 42)
21345 **APPROVED AS RECOMMENDED**
ORD: 04-006

SOCIAL SERVICES AGENCY

28. Approve leases GA1213-95-3 and GA 1213-95-4 with Dolphinshire, L.P. for office space for Medi-Cal and Food Stamp Programs, Garden Grove; and make California Environmental Quality Act findings - District 1
12345 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Sheriff-Coroner:

29. Declare emergency and make appropriate findings pursuant to Public Code Section 22050; ratify emergency purchase order PC 060 L0022600.04 with LAD Construction for repair of uneven floors to prevent health hazard due to inability to adequately maintain floor surfaces in sanitary conditions, Intake/Release Center Scullery (\$31,239); project completed 2/26/04; and make related findings - District 1 (4/5 vote)
15234 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

30. Approve amendment 2 to agreement with Appriss Inc. for automated crime victim notification services, extending term to 4/30/05 (\$120,000) - All Districts
34125 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

31. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters
B.O. **RECEIVED ORAL REPORT**
32. Approve price agreement Y1000000831 with Computer Associates International, Inc. for Enterprise Data Management Software Licensing and Maintenance, 3/23/04 - 3/22/07 (\$245,892 per year); renewable for two additional years - All Districts
B.O. **CONTINUED TO 3/30/04, 9:30 A.M.**
33. Approve general fund reserves policy for the Annual Strategic Financial Plans - All Districts (Continued from 2/24/04, Item 69; 3/16/04, Item 37)
B.O. **DELETED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-7)

County Counsel:

- CS-1. Closed Session
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Francis Small v. County of Orange, ANA 0348246; ANA 0348249
B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF FRANCIS SMALL V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**
- CS-2. Closed Session
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Maria S. Tenorio v. County of Orange, ANA 0347481
B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF MARIA TENORIO V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

S U M M A R Y A C T I O N M I N U T E S

CS-3. Closed Session
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to
Government Code Section 54956.9(a):
Name of Case: Barratt American Inc., et al., v. County of Orange, et al., OCSC Case No.
03CC00235 (Continued from 3/16/04, Item CS-2)

B.O. **DELETED**

CS-4. Closed Session
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to
Government Code Section 54956.9(a):
Name of Case: The Irvine Company v. County of Orange, L.A.S.C. No. BC 308544

B.O. **HELD, NO REPORTABLE ACTION**

CS-5. Closed Session
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to
Government Code Section 54956.9(b):
Number of Cases: One Case

B.O. **HELD, NO REPORTABLE ACTION**

County Executive Office:

CS-6. Close Session
CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section
54957.6:
Agency Negotiator: Susan Paul
Employee Organizations: American Federation of State, County and Municipal Employees
Local 2076, Orange County Attorneys Association, Orange County Employees Association,
International Union of Operating Engineers Local 501, and Service Employees International
Union Local 787

B.O. **HELD, NO REPORTABLE ACTION**

CS-7. Closed Session
CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code
Section 54956.8:
Property: 2642 Michelle Avenue Tustin, CA
Legal Property: 14102 Michelle Avenue Tustin, CA
Agency Negotiator: Tony Ferrulli
Negotiating Parties: Mira Mesa Shopping Center, L.L.C.

B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Larry Laven - Oral Re: Support of Assistant Sheriff Jaramillo

Darrell Nolta - Oral Re: Seismic Safety standards legislation and HCA's billing automation project contract

BOARD COMMENTS:

Supervisor Norby - Oral Re: Reported on informal meeting on 3/22/04 to discuss response to Prop. 172
Redistribution of Funds Initiative

ADJOURNED: 2:45 P.M.

S U M M A R Y A C T I O N M I N U T E S

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order

Right Margin Notes

- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board